

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**CRAIG CUNNINGHAM,**

**Plaintiff,**

**v.**

**TRILEGIANT CORPORATION, et al.,**

**Defendants.**

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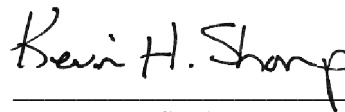
**No. 3:14-2181  
Judge Sharp**

**ORDER**

After Plaintiff failed to comply with a March 16, 2016 Order of the Magistrate Judge requiring him to file a written explanation showing cause for his failure to serve Defendants Larry Rolen and Alan Field within the 120 day period required by Rule 4(m), the Magistrate Judge entered a Report and Recommendation ("R & R") recommending that this action be dismissed without prejudice. Having (1) considered the record; (2) Plaintiff's failure to respond as ordered; (3) the fact that Plaintiff was warned that dismissal would be recommended if he did not respond; and (4) Plaintiff's failure to object to the R & R, the Court agrees with the recommended disposition.

Accordingly, the R & R (Docket No. 50) is hereby ACCEPTED and APPROVED and this action is hereby DISMISSED WITHOUT PREJUDICE.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE